

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7211

BILL NUMBER: HB 1226

NOTE PREPARED: Jan 9, 2013

BILL AMENDED:

SUBJECT: Killing an endangered species; repeat poachers.

FIRST AUTHOR: Rep. Goodin

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill makes it a Class D felony for a person to knowingly or intentionally kill a wild bird or wild mammal that is on the endangered species list. It makes it a Class D felony for a person to illegally take a deer or a wild turkey if the person has at least three prior unrelated convictions for illegally taking a deer or a wild turkey in the previous seven years. It increases the amount that a person must reimburse the state for unlawfully taking or possessing a deer, wild turkey, or other wildlife (other than fish) for a third or subsequent violation.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues: Under this bill, the fines for taking or killing an animal that is on the endangered species list have increased. As a result, if the number of violations generally remain the same, the fines deposited in the conservation officers fish and wildlife fund would increase.

Additional Information:

Under current law, wildlife on the endangered species list can be divided into two (2) categories: (1) deer and wild turkey; and (2) other wildlife. This bill divides wildlife into three (3) categories: (1) deer and wild turkey; (2) fish; and (3) other wildlife.

For all categories of wildlife, the penalty for killing an animal under this bill has increased from a Class A

misdeemeanor to a Class D felony. Below is a summary of the other changes this provision introduces:

1. *Deer and Wild Turkey*: Under current law, an individual who takes one of these animals commits a Class B misdemeanor for the first violation, and a Class A misdemeanor for the second and subsequent offenses. The fine for the first offense is \$500; this increases to \$1,000 for the second and any subsequent violation.

Under this bill, the first and second offenses are treated the same as under current law. However, it is a Class D felony for a person to illegally take a deer or a wild turkey if the person has at least three prior unrelated convictions for illegally taking a deer or a wild turkey in the previous seven years. The fine for the third and any subsequent violation is increased to \$2,000.

2. *Fish*: The penalties for violations are the same under current law and this bill: Class A misdemeanor, with a \$20 fine for the first offense and a \$35 fine for each subsequent violation.

3. *Other Wildlife*: Under current law, an individual who takes one of these animals commits a Class A misdemeanor. The fine is \$20 for the first offense; \$35 for each subsequent violation.

Under this bill, the fine is increased from \$20 to \$200 for the first violation; from \$35 to \$500 for the second violation; and from \$35 to \$1,000 for the third and any subsequent violation.

All fines are deposited in the Conservation Officers Fish and Wildlife Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Natural Resources

Local Agencies Affected:

Information Sources:

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